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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/636,099	08/10/2000	Jesus Guinea	99AG11353231	6346
7590	08/26/2005		EXAMINER	
Christopher F Regan Allen Dyer Doppelt Milbrath & Gilchrist PA P O Box 3791 Orlando, FL 32802-3791			TSE, YOUNG TOI	
			ART UNIT	PAPER NUMBER
			2637	

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/636,099

Applicant(s)

GUINEA ET AL.

Examiner

YOUNG T. TSE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-11, 13, 14, 16-18, 20-22, 25-27, 29, 30, 32 and 33 is/are allowed.
- 6) ☒ Claim(s) 12, 19, 28 and 34 is/are rejected.
- 7) ☒ Claim(s) 15, 23, 24 and 31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see pages 13 and 14, filed January 10, 2005, with respect to claims 7-34 have been fully considered and are persuasive. The rejection of claims 7-11, 13-18, 20-27 and 29-33 has been withdrawn. However, the rejection of claims 12, 19, 28 and 34 is remain rejected, see detail below.

### ***Drawings***

2. The drawings are objected to because the block pertaining elements (1-3) in Figure 1, (100 and 101) in Figure 2, (5 and 7-9) in Figure 5, (10-18) in Figure 6 and (19 and 21-23) in Figure 7 need to have descriptive labels in conformance with 37 CFR 1.84(n) and 1.84(o). For example, a descriptive label of "Clock Generator" should be inserted into Figure 1 to properly describe element (1). Further, in Figure 3, a dot "." is required for the connection between "BK" and "CK" of the D flip-flops. Furthermore, in Figure 7, "8" should be changed to "13" as mentioned on page 11, lines 9-11 of the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the

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replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

3. Claims 15, 23, 24, and 31 are objected to because of the following informalities: in claim 15, line 2, "Claim 13" should be "Claim 14" to avoid the lacking of antecedent basis of "the coding"; in claim 23, line 4, "interface unit" should be "interface circuit"; in claim 24, line 4, the word "standard" should be deleted; and in claim 31, line 2, "Claim 29" should be "Claim 30" to avoid the lacking of antecedent basis of "the coding". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 12, 19, 28 and 34 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The configuration of claims 12, 19, 28 and 34 does not correspond to the disclosure of the decoding circuit of Figure 3. For example, each of claims 12, 19, 28 and 34 recites "a first one of said pair of AND gates is connected to two of said four bistable elements for receiving as inputs the two of the four local timing signals forming the pair of reference signals, and a second one of said pair of AND gates is connected to a remaining two of said four bistable elements for receiving as inputs logic complements of the remaining two timing signals". However, as shown in Figure 3 and the waveforms of Figure 4, inputs Q1' and Q2N' are inputted to one AND gate and inputs Q3' and Q4N' are inputted to other AND gate which are different than the claimed subject matter of claims 12, 19, 28 and 24 and explained in the remarks.

***Allowable Subject Matter***

6. Claims 7-11, 13-14, 16-18, 20-22, 25-27, 29-30 and 32-33 are allowed.
7. Claims 15, 23-24 and 31 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.
8. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show or suggest that a detector or method for detecting

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timing in a data flow with a bit-time comprising a circuitry or steps of sampling four local timing signals upon each transition of a first type in the data flow, determining based upon sampling whether two of the four local timing signals forming a pair of reference signals that are out of phase by  $1/2$  period are advanced or delayed relative to the timing of the data flow, and controlling a circuitry to delay or advance the four local timing signals each being out of phase with one another by  $1/4$  period based upon the pair of reference signals.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Woodman, Jr. discloses an apparatus and method for synchronizing and tracking an input data stream with a clock having a plurality of phases each has a predetermined time period to generate a synchronous clock and synchronous data.

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

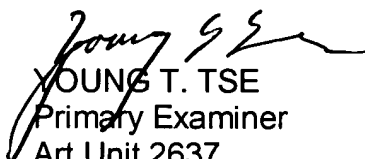
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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOUNG T. TSE whose telephone number is (571) 272-3051. The examiner can normally be reached on Monday-Thursday and alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The Central FAX Number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
YOUNG T. TSE  
Primary Examiner  
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